

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHARLES CURTIS KING, III AND  
PRISCILLA MICHAEL-KING,  
Appellants,

vs.

EASTERN PACIFIC DEVELOPMENT  
COMPANY, INC., A NEVADA  
CORPORATION,  
Respondent.

No. 52528

**FILED**

NOV 14 2008

FRAGIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *H. Ingosa*  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court summary judgment. Second Judicial District Court, Washoe County; Steven R. Kosach, Judge.

Our review of the documents before us on appeal reveals a jurisdictional defect. Specifically, it appears that the order appellant is challenging is not a final, appealable judgment.<sup>1</sup> A final judgment is one that disposes of all issues presented in the case and leaves nothing for the future consideration of the district court, except for post-judgment issues such as attorney fees and costs.<sup>2</sup> Here, the claim for negligent misrepresentation remains pending. Accordingly, as it appears that a

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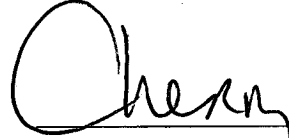
<sup>1</sup>See NRAP 3A(b)(1) (providing for an appeal from a final judgment in an action or proceeding).


<sup>2</sup>Lee v. GNLV Corp., 116 Nev. 424, 996 P.2d 416 (2000).

final judgment has not been entered in the underlying case, we lack jurisdiction to consider this appeal and we

ORDER this appeal DISMISSED.<sup>3</sup>

  
Gibbons, C.J.

  
Cherry, J.

  
Saitta, J.

cc: Hon. Steven R. Kosach, District Judge  
Charles Curtis King III  
Priscilla Michael-King  
Law Offices of Walsh & Walsh  
Wait Law Firm  
Washoe District Court Clerk

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<sup>3</sup>As we conclude that we lack jurisdiction over this appeal, appellants need not file the civil proper person appeal statement and transcript request forms sent to them.